

Airline Division By-Laws
As amended by the Airline Division Conference of November 1, 2015

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ARTICLE 1 – INTRODUCTION

Airline Division of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all grounds of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix B to these bylaws.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix C to these bylaws.

ARTICLE 2 – NAME

- 2.1** The Organization shall be known in English as the Airline Division, Canadian Union of Public Employees (CUPE) (“Division”) and in French as Division du Transport Aérien, Syndicat Canadien de la Fonction Publique (SCFP).
- 2.2** The Council of Component Presidents (COCP) is the steering committee of the Airline Division.
- 2.3** The assets of the Division are governed by the laws of Ontario.
- 2.4** The Division is a National Service Division of CUPE composed of Components and Locals as set out in Article 6.1 of these By-Laws.

This Division is established and chartered under Article 4.3 of the Constitution of the Canadian Union of Public Employees, under the authority of the National Executive Board.

ARTICLE 3 – OBJECTIVES

- 3.1** The principal objectives of the Division, Components and Locals shall be to:
- (a) Support Components and Locals to establish and secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
 - (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
 - (c) Support Components and Locals to encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
 - (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, mental and physical disability, or political affiliation; and the active opposition of discrimination of same wherever it occurs or appears;
 - (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
 - (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.
- 3.2** In order to fulfill the principal objectives specified in Article 3.1 above, the respective duties and responsibilities for the Division are specified in Article 10.1; for Components in Article 13; and for Locals in Article 14.

ARTICLE 4 – DEFINITIONS AND ABBREVIATIONS

- 4.1** The English and French texts of these By-Laws have equal force.
- 4.2** National Union shall mean CUPE with its Headquarters in Ottawa, Ontario.
- 4.3** Bargaining Unit as defined by the Canadian Industrial Relations Board (CIRB).
- 4.4** The terms Division and Airline Division in these By-Laws will be considered synonymous.
- 4.5** The terms “Component” in these By-Laws include locals who do not have a Component structure model and only have one chartered local, and Components who have more than one chartered local within the same Airline.

- 4.6 The Term “Locals” also include the locals who are part of a Component structure model who have more than one chartered local.

ARTICLE 5 – STRUCTURE

The structure of the Airline Division shall be as follows:

1. Airline Division Conference
2. Airline Division Officers of the Council of Component Presidents (COCP)
3. Components and Locals

ARTICLE 6 – JURISDICTION, MEMBERSHIP

- 6.1 The Airline Division of CUPE shall be composed of the following Components and Locals:

Components:

Air Canada
Air Transat
Calm Air
Canadian North
Canjet
Cathay Pacific
First Air
Sunwing

Locals:

4029 Calm Air	Winnipeg/Thompson
4021 First Air	Edmonton/Yellowknife
4040 First Air	Ottawa/Iqaluit
4044 Canjet	Halifax
4041 Air Transat	Montreal
4047 Air Transat	Toronto
4078 Air Transat	Vancouver
4088 Cathay Pacific	Vancouver/Toronto
4091 Air Canada	Montreal
4092 Air Canada	Toronto
4094 Air Canada	Vancouver
4095 Air Canada	Calgary
4098 Air Canada – rouge	Toronto
4053 Canadian North	Alberta
4055 Sunwing	Toronto

and such other Components and Locals which may be designated by CUPE to be part of the Division.

- 6.2** It is understood that this Division cannot direct Components and Locals in carrying out the business of the union.
- 6.3** Each Component shall make recommendations to CUPE regarding the establishment of new Locals in their component having regard to the geographical extent and composition of the component and the numerical quantity of the membership.
- 6.4** Membership in the Union shall be acquired in accordance with Appendix "B" of the CUPE Constitution.

Delegates of the Airline Division in good standing shall:

- (a) be eligible to hold an Executive position within the Airline Division;
- (b) be eligible to vote on any of the Airline Division's business;

To be in good standing shall mean any Chartered Locals and or Components of CUPE that are not more than three (3) months in arrears of monthly per capita and/or fees.

Any Locals and or Components under administration with no active members will be deemed to be in good standing providing they were in good standing prior to lay-off or base closure.

- 6.5** A member on laid-off status and still eligible for recall as per the pertinent Collective Agreement shall maintain his/her status as an active member of the union within his/her component without obligation to pay Union dues unless employed with another component.
- 6.6** Request to Leave the Division
Any Component may apply to CUPE's National Executive Board for permission to leave the jurisdiction of the Airline Division, provided that the request has been approved by a majority vote of its members in a referendum ballot.

The National Executive Board may approve such requests, subject to terms and conditions consistent with the duties and responsibilities contained in these By-Laws and with the CUPE Constitution.

ARTICLE 7 – DUES AND FUNDS

7.1 Dues

Each Component shall have the authority to establish, in accordance with its By-

Laws, the regular monthly dues of its members, provided that the dues shall be no less than 1.5% of gross income. Each Component shall receive and collect all such monthly dues and remit the specified remittances for CUPE National, and its Locals (in accordance with Article 7.3) within fifteen (15) working days of receipt of the employer's remittance. Per capita shall be forwarded by the Components to CUPE as required by the CUPE Constitution.

7.2 Supplemental Component Funding

Components that are not self-sufficient based on their dues income shall receive supplemental funding to ensure a minimum annual funding level pursuant to the following arrangements;

- a. Calm Air, Canjet, Canadian North, Cathay Pacific, First Air, Sunwing and Air Transat Components

These seven Components will receive supplemental funding from the Airline Division Defence Fund as stipulated in Appendix "A" to these By-Laws.

- b. And locals and/or Components under administration with no active members will be ineligible for supplemental Component funding

7.3 Monthly Local Budgets

The monthly budget of each Local will be calculated as follows: minimum \$600 base amount plus a minimum of \$6.00 per dues-paying member, unless otherwise provided for in the Component's By-Laws. These monthly budgets will be remitted to Locals by their Component in accordance with the procedures contained in Article 7.1 ("Dues").

7.4 Division Defence Fund

The Division Defence Fund shall provide funding for activities in accordance with the Division's Defence Fund Regulations attached as Appendix "A" and forming part of these By-Laws.

The one time transfer of \$500,000 to the Special Initiatives Fund, administered by the Council of Component Presidents in accordance with Appendix "A" attached in forming part of these By-Laws, shall be continued.

ARTICLE 8 - AIRLINE DIVISION OF CUPE CONFERENCE

- 8.1** A Division Conference shall be held every two (2) years immediately preceding the CUPE National Convention.

- 8.2** The purpose of the Conference will be to:
- a. provide Components and their Locals with an opportunity to discuss airline industry issues
 - b. to consider amendments to the By-Laws of the Division
 - c. provide a forum for review and debate on resolutions and policies being brought to National Convention
 - d. Receive the Trustee Reports

8.3 Local delegate entitlement to Division Conferences and Special Conferences shall be:

Up to 100 members	1 delegate
101 to 200 members	2 delegates
201 to 500 members	3 delegates
501 to 1,000 members	4 delegates
1,001 to 1,500 members	5 delegates
1,501 to 2,000 members	6 delegates
2,001 to 2,500 members	7 delegates
2,501 to 3,000 members	8 delegates

for each additional 500 members or portion thereof, 1 additional delegate.
As per the CUPE constitution article 6.4 (a), and in addition to the above;

Service Division	one (1) delegate
Airline Division Component	one (1) delegate per airline

Representation at Conferences shall be based on the paid-up membership, include Rand Formula payees, on the average number of members of the last twelve (12) months before the Conference Call is sent out.

8.4 CUPE National staff attendance at the Conference shall be in accordance with Article 16.7 of the CUPE Constitution.

Fifty percent (50%) plus one (1) of the delegates at the Conference shall constitute quorum for the purposes of conducting regular business.

8.5 When deemed necessary the Council of Component Presidents (the “Council”) may call a Special Conference notice of which shall be sent to each Local not less than thirty (30) days prior to the date of the Special Conference. At any Special Conference only such business will be conducted as was specified in the notice of the meeting.

8.6 The Council shall appoint such committees as are necessary to conduct the affairs of the Conference. The Council may request any such committee to

meet prior to the Conference for the purpose of considering matters placed before it.

- 8.7**
- a) The Council will work with CUPE National to provide a cost effective Conference. Costs will be shared amongst the Components on a pro-rated basis, according to the members in each Component as set out in 5.3. All such costs must include a maximum limit allowable and must be unanimously pre-authorized by Council.
 - b) The Division will not be responsible for the costs of attendance of delegates to the Conference.

8.8 Not less than ninety (90) days prior to the opening of a regular Airline Division Conference, the Division President shall ensure that each Component and Local is advised in writing, of the time and place of the Conference.

8.9 By-Law Amendments

- a) By-Law amendments must be submitted, in writing, by a Local, a Component Executive, or by the Council and be in the hands of the Council at least forty-five (45) days prior to the date of the Conference. Each amendment submitted by a Local must have been approved at a regular or a special membership meeting and bear the signature of the Local President.
- b) At least thirty (30) calendar days prior to the Conference, a copy of all By-Law amendment proposals submitted shall be forwarded to all Components and Locals.
- c) These By-Laws may only be amended by the following process:
 - 1. receiving a two thirds majority vote of delegates present and voting at the Conference, and
 - 2. agreement by all members of the Council at the next Council meeting or within thirty (30) days whichever is sooner.

A Component president must supply a written rationale of their intent to vote to defeat any by-law amendment approved by the Conference. At the meeting specified above in 8.9(2), the COCP will reconsider the by-law amendment and vote prior to proceeding to the next step.

If unanimous agreement by Council is not reached the By-Law amendment will be submitted to a vote of all Division members and must be passed by a simple majority of the members voting of each and every Component. This vote will be completed within sixty (60) days of receiving notice of the Council's decision.

Effective Date of Amended or Additional Bylaws

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

ARTICLE 9 - CUPE NATIONAL CONVENTION

- 9.1** The President of the Airline Division in office at the time of the CUPE Convention call shall be the delegate to the CUPE Convention if he/she so desires. If he/she chooses not to exercise this right, an alternate shall be chosen by the Council of Component Presidents.
- 9.2** Any cost sharing of the Airline Division delegate's attendance at Convention will be decided by the Council of Component Presidents.
- 9.3** One (1) delegate per airline from the Airline Division Component as per Article 6.4 (a) of the CUPE Constitution.

ARTICLE 10 - COUNCIL OF COMPONENT PRESIDENTS (COCP)

It is understood that the Council of Component Presidents (COCP) is the steering Committee of the Airline Division

- 10.1** The principal responsibilities of the Council of Component Presidents (the "Council") shall be to:
- a) work with Components and Locals to achieve the union's objectives contained in Article 2.1 ("Objectives");
 - b) provide a forum for the Components and Locals to formulate common approaches with CUPE National on:
 - legislative and regulatory issues affecting the union;
 - work with other unions and bodies, domestically and internationally, to promote the membership's common objectives;
 - promotion of a safe and healthy work environment for all members;
 - compilation and analysis of trends in the air transportation industry and government
 - c) provide a forum for sharing information between Components and Locals on bargaining issues.

- d) administer the Division Defence Fund on behalf of Components and Locals in accordance with the Defence Fund Regulations as stipulated in Appendix "A" to the By-Laws.
- e) organize and hold the Airline Division Conference in accordance with Article 5.

10.2 Council of Component Presidents

- a) The decisions will be made when consensus is reached with quorum and simple majority, unless there is a monetary involvement, which will require a unanimous decision of all the members of COCP.
- b) The costs of attendance at Council will be borne by the respective Components.

10.3 It shall be the duty of Council to carry out the instructions of the Conference, and the responsibilities contained in these By-Laws.

10.4

A) Meetings

- i. Any COCP meeting may occur in person, virtually or a combination of both in order to accommodate schedules
- ii. The Council of Component Presidents (COCP) shall meet at least quarterly per calendar year and more often as required by a majority of the COCP.
- iii. When deemed necessary the COCP may call a Special COCP Council meeting with a ten (10) day notice. Such meeting dates should be by consensus in order to facilitate maximum participation.
- iv. This must be requested by no fewer than Fifty (50%) percent plus one (1) of the COCP members.
- v. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- vi. The schedule of the Council's regular meetings is established by the Council at the first meeting of the year in March.
- vii. A Component officer who cannot attend a COCP meeting may elect to send an alternate designate in order to represent their Airline. Notice should be given to the COCP.
- viii. Fifty percent (50%) plus one of the Components will constitute quorum.

B) Minutes

- (i) At all meetings of the COCP, the President shall ensure that original minutes are kept and a copy is filed at the head office and with the CUPE Representative assigned to the COCP.
- (ii) The Minutes of the last meeting will be available for distribution to each Component at each meeting for review and adoption.
- (iii) The Minutes will be sent out 30 days after the COCP meeting. Any amendments must be received 30 days prior to the next COCP. The minutes will be discussed and adopted at the next COCP meeting.

C) Officers

The Council of Component Presidents shall include all Component Presidents of the Airline Division, the Airline Division Officers except Trustees

All Officers must give all properties, assets, funds and all records of the Airline Division to their successors at the end of their term of Office.

(Article B.3.9)

All signing Officers of the Council of Component Presidents shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

D) Elections

- i. The COCP will elect a President, and Treasurer amongst themselves.
- ii.
 - a) Each component will nominate a trustee from their elected pool.
 - b) Trustees will be selected by lottery at the COCP level.
- iii. The term of office will be two years commencing in March, except for the Trustees, The President in odd years and the Treasurer in even years.
- iv. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Airline Division (COCP) shall elect one Trustee for a three year period as per ii. No member who has been a signing Officer for the Airline Division (COCP) is eligible to run for Trustee, until at least one full term of office has elapsed.

- v. In the event that the President, or the Treasurer is no longer a member of the Airline Division (COCP), the Airline Division (COCP) will elect someone from amongst themselves to complete that term.
- vi. In the event that a Trustee is no longer a member of the Airline Division the (COCP) will elect another as per election policy.

The Oath of Office to be read by the newly-elected Officers is:

“I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.”

- 10.5** CUPE National staff will be invited to report on their activities to Council and to participate in Council discussions on issues affecting the membership.

ARTICLE 11- DUTIES of ELECTED OFFICERS

11.1 The COCP President shall:

- a) Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement
- b) Supervise the affairs of the Airline Division and (COCP) and promote its welfare and objectives, and be responsible for his/her activities in this regard to the Components;
- c) Arrange for and preside at the Airline Division Conference and meetings of COCP, and be responsible for carrying out their directives;
- d) Have sole authority to interpret these By-Laws, subject to appeal, first to the COCP and then the National President of CUPE;
- e) Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- f) Sign all official documents;

- g) Be a signing authority on all cheques;
- h) Ensure that appropriate arrangements for meetings of the COCP are made;
- i) Ensure a correct, full and impartial record of the proceedings of each meeting of the COCP, Airline Division Conference and any other such meetings as may be deemed necessary are kept and sent, once adopted, to each Component for distribution to their respective locals;
- j) May delegate duties to other members of the Airline Division (COCP).

11.2 The COCP Treasurer shall:

- a) Be responsible for supervision of the financial affairs of the Division;
- b) Be signing authority on all cheques;
- c) Sign all cheques and ensure that Airline Division (COCP) funds are used only as authorized or directed by the CUPE Constitution, Airline Division bylaws, or a vote of the membership. In the event of a prolonged absence the council will assign a temporary signing officer;
- d) Be responsible for ensuring the establishment and supervision of proper accounting procedures in the receipt and disbursements of funds in accordance with these By-Laws;
- e) Ensure a quarterly financial statement be prepared and submitted to the Airline Division (COCP);
- f) Oversee the keeping of books, documents, files and effects of the Division which shall at all times be subject to inspection by the Airline Division and CUPE;
- g) Supervise the receipt of all monies payable to the Airline Division (COCP) and depositing said monies to such accounts as may be designated by the Council;
- h) Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Airline Division (COCP)

- i) Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices
- j) Make a written financial report to each Airline Division Conference, detailing all income and expenditures for the period
- k) Be bonded through the master bond held by CUPE National. Any Treasurer who cannot qualify for the bond shall be disqualified from office.
- l) Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and the Treasurer as determined by the Airline Division (COCP)
- m) Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- n) Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- o) Notify all Components and or Locals who are one month in arrears and report to the Airline Division (COCP) all members two or more months in arrears in the payment of union dues.
(Articles B.3.4 to B.3.8)
- p) Chair over the Airline Division (COCP) meetings in the absence of the President,

11.3 The COCP Trustees

The Trustees shall:

- a) Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, at least once every calendar year.
- b) Provide a written report of their findings to the first Council meeting following the completion of each audit. And at Each Airline Division Conference every two years.
- c) Submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in

order to ensure that the Airline Division funds, records, and accounts are being maintained by the Treasurer in an organized, correct, and proper manner.

- d) Be responsible to ensure that monies have not been paid out without proper constitutional or Council authorization.
- e) Ensure that proper financial reports have been given to the Council.
- f) Audit the record of attendance.
- g) Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Airline Division, and report their findings to the membership.
- h) Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Airline Division COCP Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Treasurer of the Local Union
 - v. Treasurer's response to recommendations
Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

ARTICLE 12 – COMMITTEES

All committee members will have a two year mandate, commencing in March.

A) HEALTH AND SAFETY COMMITTEE

Each Component will have a single seat on the Airline Division Health and Safety committee. The committee will appoint a chairperson and secretary amongst themselves.

Duties

The duties of the chairperson will include:

- Planning meetings and develop the agenda in conjunction with the secretary with input from the other committee members;
- Ensure effective committee function during the meeting
- Prepare a report to the COCP after each meeting, in consultation with the secretary, to submit within 2 weeks of each meeting

The duties of the secretary will include:

- Polling the members for agenda items at least 3 weeks prior to each meeting
- Work with the chairperson to develop the agenda to be distributed to the committee at least one week before the meeting
- Take minutes during the meeting
- Assist the Chairperson in preparing the report to the COCP

This committee will:

- Provide input to submissions prepared by CUPE National
- Develop a work plan for the committees and/or Airline division project(s)
- Prepare a written report to submit to the committee meeting
- Work towards improving the H S standard amongst all the Airlines in the Airline Division.
- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the COCP meetings and conference
- Follow and append the Terms of Reference
- Follow the consensus model adopted by the Airline Division
- Will meet as least once a year, but may convene more meetings as necessary with the approval of the COCP
- Will submit a budget proposal to the COCP at the first meeting of the year
- The costs of attendance at the Health and Safety will be borne by the respective Components.

B) AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR CONDITIONING ENGINEERS (ASHRAE) AND AIR QUALITY REPRESENTATIVE

This person will be selected by the COCP and will sit with the Health and Safety committee (with a voice, no vote) to report issues and standards of air quality.

The costs of attendance at the ASHRAE representative at the Health and Safety Committee meetings will be borne by the respective Components.

The cost of attending the ASHRAE Conference/seminars for the ASHRAE representative or his/her designate, will be borne by the COCP ASHRAE Budget.

C) TRANSPORT CANADA REGULATORY AFFAIRES COMMITTEE

Each Component will have a single seat on the Airline Transport Canada Regulatory affairs committee. The committee will appoint a chairperson and secretary amongst themselves.

Duties

The duties of the chairperson will include:

- Attending Transport Canada related regulatory meetings with the assigned Airline researcher (there will be a monetary requirement for this participation)
- Planning meetings and develop the agenda in conjunction with the secretary with input from the other committee members
- Ensure effective committee function during the meeting
- Prepare a report to the COCP after each meeting, in consultation with the secretary, to submit within 2 weeks of each meeting

The duties of the secretary will include:

- Polling the members for agenda items at least 3 weeks prior to each meeting
- Work with the chairperson to develop the agenda to be distributed to the committee at least one week before the meeting
- Take minutes during the meeting
- Assist the Chairperson in preparing the report to the COCP

This committee will:

- Provide input to submissions prepared by CUPE National
- Develop a work plan for the committees and/or airline division project(s)
- Prepare a written report to submit to the committee meeting
- Work towards improving regulations related to the onboard staff
- Work to educate members on the importance of a good working knowledge of airline related regulations
- Prepare and present reports to the COCP meetings and conference
- Follow and append the Terms of Reference
- Follow the consensus model adopted by the Airline Division
- Will meet as least once a year, but may convene more meetings as necessary with the approval of the COCP

- Will submit a budget proposal to the COCP at the first meeting of the year

The costs of attendance at the REGULATORY AFFAIRES Committee meetings will be borne by the respective Components.

The cost of attending the REGULATORY AFFAIRES Conference/seminars for the Chairperson or his/her designate, will be borne by the COCP Regulatory Affairs Budget.

ARTICLE 13 – COMPONENTS

13.1 The principal duties and responsibilities of the Component shall be to:

- a) work with its Local(s) and the Division to achieve the union's objectives contained in Article 3.1("Objectives");
- b) negotiate the collective agreement covering its members;
- c) settle promptly disputes and grievances which may arise between its members and their employer in accordance with procedures established with its Local(s);
- d) proceed to arbitration, where necessary, to settle disputes and grievances between its members and their employer;
- e) administer and enforce the collective agreement, in conjunction with its Local(s), in all other respects;
- f) inform regularly all Component members on the matters affecting the union, including Component activities to fulfill union objectives;
- g) establish and maintain Component Committees in accordance with its By-Laws
- h) receive and administer the union dues received from its employer in accordance with Article 7.1 and levy special assessments in accordance with Appendix B.4.2 of the National Constitution;
- i) remit the specified budget shares for Locals in accordance with Article 7.3;
- j) pay, or cause to be paid, all properly substantiated expenses associated with the Component's activities.

13.2 The Officers of each Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, and such other officers as the Local By-Laws may provide

(Articles B.2.1 and B.2.2)

13.3 By-Laws

Components will enact By-Laws as they deem necessary provided that such By-Laws are not inconsistent with the By-Laws of the Airline Division or the CUPE Constitution. Component By-Laws shall be subject to the approval of the National President before being applied.

ARTICLE 14 – LOCALS

14.1 The principal duties and responsibilities of the Local shall be to:

- a) work with the Component, other Locals within the Component if applicable, and the Division to achieve the union's objectives contained in Article 3.1 ("Objectives");
- b) settle promptly disputes and grievances which may arise between its members and their employer in accordance with procedures established with its Component;
- c) administer and enforce the collective agreement, in conjunction with its Component, in all other respects;
- d) inform regularly all Local members on the matters affecting the union, including Local activities to fulfill union objectives;
- e) receive and administer the union dues received from the Component in accordance with Article 7.3;
- f) establish and approve a Local budget;
- g) pay, or cause to be paid, all properly substantiated expenses associated with the Local's activities;
- h) affiliate, on a voluntary basis and finances permitting, to labour councils, provincial federations of labour, CUPE district councils, CUPE provincial divisions and other labour bodies.

14.2 The Officers of each Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, and such other officers as the Local By-Laws may provide

(Articles B.2.1 and B.2.2)

14.3 Locals may enact By-Laws as they deem necessary provided that such By-Laws are not inconsistent with the By-Laws of the Division, their Component or

the CUPE Constitution. Local By-Laws shall not become effective until approved by the National President.

ARTICLE 15 - RULES OF ORDER AND QUORUM

- 15.1** All meetings of the Airline Division (COCP) will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix D. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.
- 15.2** In situations not covered by Appendix D to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.
- 15.3** In order to ensure a balance in the debate, the chairperson shall recognize alternately a speaker for and a speaker against the question where possible.
- 15.4** Quorum
- a) Conference - fifty per cent (50%) plus one of the delegates
 - b) Council of Component Presidents - fifty percent (50%) plus one of the members

APPENDIX “A”

DIVISION DEFENCE FUND REGULATIONS

The Division Defence Fund continues the Division’s Supplementary Strike Fund, referenced in Articles 7.2 and 7.4 of the Airline Division By-Laws.

ARTICLE A.1 – DIVISION DEFENCE FUND FINANCING PROCEDURES

A.1.1 Division Defence Fund monies may be invested in any or all of the following asset categories and sub-categories of investments. These investments may be obligations or securities of Canadian entities.

- (a) bonds, debentures, mortgages, notes or other debt instruments of governments, government agencies, or corporations;
- (b) guaranteed investment contracts or equivalent of insurance companies, trust companies, banks, credit union or Caisses Populaires, or other eligible issuers, or funds which invest primarily in such instruments;
- (c) annuities, deposit administration contracts or other similar instruments regulated by the Canadian and British Insurance Companies Act (Canada) or comparable provincial law, as amended from time to time;
- (d) term deposits or similar instruments issued or unconditionally guaranteed by trust companies, banks, credit unions or Caisses Populaires;
- (e) cash, or money market securities issued by governments, government agencies or corporations;
- (f) mutual, pooled or segregated funds which may invest in any or all of the above instruments or assets.

A.1.2 All earnings from these investments shall accrue to the Defence Fund.

A.1.3 (a) Defence Fund monies are discreet fund monies to be kept in a separate account. Cheques on this account are to be signed by the President and Treasurer of the Council of Component Presidents.

(b) Statements of the Defence Fund shall be prepared every three (3) months for submission to the Council of Component Presidents.

This report shall be separate from the regular financial report of the

Division General Funds.

- (c) The annual financial statement of the Defence Fund, duly audited, shall be submitted to the Council of Component Presidents and to the Locals upon request.

ARTICLE A.2 – DIVISION DEFENCE FUND REPLENISHMENT

The revenue of the Airline Division Defence fund Replenishment shall be derived from a fee from each Component on the basis of \$0.10 per active member per month, paid no later than the beginning of each quarter of a calendar year.

ARTICLE A.3 – ELIGIBILITY FOR FUNDING

- A.3.1** (a) The Division Defence Fund may be accessed, upon application to the Council of Component Presidents by any Component that is not in arrears to CUPE National.
- (b) Any such application for funding from a Component must meet one of the purposes of Articles 3 or 4 of these Regulations.
- A.3.2** The Defence Fund will pay strike/lockout benefits, in accordance with Article 3 of these Regulations, to all Airline Division members who meet the entitlement requirements of the CUPE National Strike Fund Regulations.

ARTICLE A.4 – STRIKE/LOCKOUT BENEFITS

- A.4.1** Benefits will be paid in the case of a strike or lockout recognized by the CUPE National Strike Fund Regulations for the duration of the work stoppage.
- A.4.2** The use of the Division Defence Fund for the payment of strike or lockout benefits shall be in accordance with Article 2 (Definition of Strike), Article 3 (Entitlement to Strike Fund Benefits), Article 4 (Application for Strike Fund Benefits), and Article 6 (Eligibility for Strike Benefits) of the CUPE National Strike Fund Regulations.
- A.4.3** The Division Defence Fund shall pay benefits of \$30.00 per day, up to a maximum of \$150.00 per week, in addition to the CUPE Strike Fund entitlement, as amended from time to time, for the first six months of a work stoppage. In the event of a work stoppage progressing beyond six months, the Council of Component Presidents has the discretion to increase its contributions to striking or locked out members by up to \$50.00 per week.

ARTICLE A.5 – EXPENSES ASSOCIATED WITH STRIKE/LOCKOUTS

A.5.1 The Division Defence Fund may also be used for expenses directly related to the conduct of the strike or lockout (and that are excluded by Article 9 (Strike Expenses Not Covered) of the CUPE National Strike Fund Regulations) as discussed and authorized in advance by the Council of Component Presidents up to a maximum of 5% of the funds in the Defence Fund at the commencement of the strike or lockout.

ARTICLE A.6 – SUPPLEMENTAL COMPONENT/DIVISION FUNDING

A.6.1 The Division Defence Fund shall provide supplemental funding for Calm Air, Canjet, Canadian North, Cathay Pacific, First Air, Sunwing, and Air Transat Components in accordance with Article 4.7 of the Airline Division By-Laws as follows:

Calm Air Component - \$25,000
Canjet Component - \$215,000
Canadian North - \$100,000
Cathay Pacific Component - \$240,000
First Air Component - \$150,000
Air Transat - \$565,000
Sunwing - \$300,000

Each Component will provide a copy of the justification of the number of its dues paying members and the amount of union dues collected by its employer to the Airline Division Defence Fund on a monthly basis, and a copy of the budget for the fiscal year for which the supplemental funding is requested, in order for the Component Presidents to determine if the supplemental funding is required. This supplemental funding will be provided on a monthly basis.

In the event a Component does not expend all of its minimum annual funding, any unexpended amount remains in the Defence Fund to the Component's credit and may accumulate to twice the Component's minimum annual funding.

A.6.2 These monies will be administered by the Division Accountant on behalf of these Components.

A.6.3 Airline Division Accountant

The Accountant total compensation, salary and benefits shall be paid for in the following manner:

1. 80% by the Air Canada Component in exchange for 80% of work being assigned directly to the Air Canada Component.
2. 20% by the AD Defence Fund in exchange for 20% of work being assigned directly to the AD Defence Fund.

A.7 SPECIAL INITIATIVES FUND REGULATIONS

- A.7.1** Funding of a one time transfer of \$500,000 from the Division Defence Fund to the designated Special Initiatives Fund will be provided in accordance with Article 4.9 of the Airline Division By-Laws.
- A.7.2** The Special Initiatives Fund will be administered by the Council of Component Presidents following its established procedures for application and disbursement and; decisions will be made when consensus is reached with quorum, unless there is monetary involvement, which will require a unanimous decision.
- A.7.3** The Council of Component Presidents may authorize funding from the Special Initiatives Fund for activities affecting the welfare and future of all Airline Division members in accordance with the Union's principal objectives as contained in Article 2 of the By-Laws, including:
- Promoting Safety and Professionalism
 - Any other Campaign or funding authorized by the Council of Component Presidents
- A.7.5** A quarterly budget report of the funds and activities of the Special Initiatives Fund shall be submitted to the Council of Component Presidents.

APPENDIX B

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all sisters and brothers deserve dignity, equality, and respect.

APPENDIX C

CODE OF CONDUCT

The COCP recommends that all components and locals adopt the CODE of conduct in their respective By-Laws

Airline Division is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Airline Division strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Airline Division is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Airline Division needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Airline Division expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Airline Division sets out standards of behaviour for members at meetings, and all other events organized by the Airline Division. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Airline Division we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Airline Division, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

APPENDIX D

RULES OF ORDER

1. The President will be the Chairperson at all Airline Division meetings and Airline Division Conferences. In the absence of the President the Treasurer will be the Chairperson at the at all Airline Division meetings and Airline Division Conferences. In the absence of the President and the Treasurer, members of the Airline Division Council of Component Presidents (COCP) will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a Airline Division meetings and Airline Division Conferences before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the membership ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.

11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Airline Division or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.

21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the membership, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the membership proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Airline Division, or the Canadian Union of Public Employees.